

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
Nashville Division

BRYCE VANDIVER

Case No. 3:22-cv-00852

v.

THE CAPITAL MARKETS COMPANY, LLC

Judge Eli J. Richardson

**MOTION FOR ADMISSION *PRO HAC VICE***

Pursuant to Rule 83.01 of the Local Rules of Court for the United States District Court Middle District of Tennessee, John P. Barry hereby moves for admission to appear *pro hac vice* in the above-captioned action as counsel for The Capital Markets Company, LLC.

Pursuant to 29 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct:

1. I am a member in good standing of the United States District Court for the Southern District of New York. Attached is a Certificate of Good Standing from that court.

2. I am not, nor have I ever been, the subject of disciplinary proceedings by any disciplinary authority, court, or tribunal, except as provided below:

3. I have not been found in contempt by any court or tribunal, except as provided below:

4. I have not been sanctioned pursuant to 28 U.S.C. § 1927, except as provided below:

5. I have never been censured, suspended, disbarred, or denied admission or readmission by any court or tribunal, except as provided below.

6. I have not been charged, arrested, or convicted of a criminal offense or offenses, except as provided below:

7. I understand that pursuant to Local Rule 83.01(d)(1), if I am not both a member of the Tennessee bar and admitted to the bar of this Court, local counsel must be retained. Below is the name, address, phone number, and e-mail address of local counsel retained in this matter:

Thomas H. Dundon, # 004539, Neal & Harwell, PLC  
1201 Demonbreun Street, Suite 1000, Nashville, TN 37203  
(615) 244-1713 (telephone), (615) 726-0573 (facsimile)  
tdundon@nealharwell.com

8. I have read and am familiar with Local Rules of Court for the United States District Court Middle District of Tennessee.

9. By seeking admission to practice before this Court, I acknowledge my responsibility for compliance with all rules of this Court and confer disciplinary jurisdiction upon this Court for any alleged misconduct arising in the course of the proceeding.

John P. Barry  
/s/ Signature

Name: John P. Barry

State where admitted and State Bar Number: New Jersey, 039231994

Business Address: 767 Fifth Avenue; New York, NY; 10153-0119

Local Address [if different from above]:

Phone: 212-310-8000

Email: john.barry@weil.com

Thomas H. Dundon, of the law firm Neal & Harwell, PLC, pursuant to Local Rule 83.01(b), hereby moves this Court for an Order granting John P. Barry of Weil, Gotshal & Manges LLP, leave to appear pro hac vice for the purpose of appearing as counsel on behalf of Defendant, The Capital Markets Company, LLC, in the above-styled case.

Respectfully submitted,

**NEAL & HARWELL, PLC**

By: s/ Thomas H. Dundon  
Thomas H. Dundon, # 004539

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(615) 244-1713 (telephone)  
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*Attorney for Defendant  
The Capital Markets Company, LLC*

## **CERTIFICATE OF SERVICE**

[Include certificate of service in compliance with Local Rule 5.01 and 5.02]

The undersigned hereby certifies that a true and correct copy of the foregoing Motion for Admission Pro Hac Vice was served via email and U.S. Mail this 19th day of October 2022 upon:

Joe P. Leniski, Jr.  
Daniel P. Hull  
Branstetter, Stranch & Jennings, PLLC  
223 Rosa L Parks Ave, Suite 200  
Nashville, Tennessee 37203  
[joeyl@bsjfirm.com](mailto:joeyl@bsjfirm.com)  
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By: /s/ Thomas H. Dundon  
THOMAS H. DUNDON

\*\*FEE: \$150.00 [Fee may be paid through the credit card module in ECF or payment may be forwarded to the Clerk within 21 days of filing the motion. If forwarded to the Clerk, payment should be in the form of a check, cashier's check or money order payable to the Clerk, U.S. District Court, 719 Church Street, Suite 1300, Nashville, TN 37203.]